



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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April 20, 1999

Brad Exton, District Ranger  
Ashley National Forest  
Vernal Ranger District  
355 North Vernal Avenue  
Vernal, Utah 84078

Re: Review of USFS Environmental Assessment, Desert Generation and Transmission Company (DG&T), Diamond Mountain Limestone Mine, S/047/066, Uintah County, Utah

Dear Mr. Exton:

The Division has reviewed the DG&T Minerals Plan of Operations Environmental Assessment (EA) for the Diamond Mountain Limestone Mine located in Uintah County, Utah, which was received March 24, 1999. The Plan of Operations was categorized as a small mine operation under our Minerals Rules when the initial Plan of Operations submission was received by our office on August 12, 1998. The "small mine operation" category is for operations which create five acres or less of surface disturbance. To date the Division has not received comments from DG&T in response to our August 19, 1998 review letter sent to your office. Some of the concerns noted in that review letter remain, as they were not addressed in the EA.

A key consideration, for the Division, is whether this project can be permitted under the Minerals Rules as a small mine, or whether a large mine application is required. Although the application indicates that the mine will only disturb three acres in the first year, the mine plan does not clearly explain how the operator will contemporaneously reclaim an acre for every disturbed acre that is created through the life of the mine. A more detailed description and drawing of the mining sequence and reclamation schedule is needed to resolve this issue.

Another concern relevant to the Division's small mine/large mine determination is the inclusion of two statements in the EA, stating the Forest Service would take responsibility for the initial 2.7 acre disturbance associated with construction of the access road to the site. The Division must receive formal written confirmation from the Forest Service stating the agency will assume responsibility for the access road. This will allow us to omit the access road from the project disturbance, which in turn allows the project to be categorized as a small mine operation under the Minerals Rules for the initial years of operation.

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There were eight boreholes and three piezometers mentioned in the Plan of Operation. It is unclear what type of disturbance will be created to install these wells. Also, how will the surface disturbances be reclaimed and how will these monitoring wells be decommissioned or reclaimed at the end of the mine life? A description of the reclamation proposed for these features needs to be included in the Plan of Operation.

In the closeout portion of the Plan of Operation DG&T noted that final shaping of the site may include up to eighty acres. This statement seems to contradict the statements in the earlier part of the plan that reclamation would take place on an almost yearly basis, once mining began. A description of the maximum area to be disturbed at any one time during the life of the mine is needed to clarify these conflicting statements. The schedule of mining and reclamation described earlier would also clarify these conflicting statements.

According to our joint agency Memorandum Of Understanding (MOU), it is understood the Division would submit our review comments to your agency. The Forest Service would then forward them to the operator. Please include or forward our comments with your review response to DG&T. The Division will suspend further review of the Diamond Mountain Limestone Mine NOI until a response to our inquiries has been received.

As stated in our previous letter the present Plan of Operation submitted by DG&T seems to indicate that the five acre threshold will be exceeded within the first two or three years of operation. If that is the case, we suggest that DG&T consider submitting a large mine operation notice of intention (LMO-NOI) in the immediate future. This will enable the operator to avoid unnecessary operational delays when the small mine ultimately exceeds five acres of surface disturbance. It takes a minimum of 6-9 months for the Division to process a large mining application (9-12 months is more typical).

If you have any questions regarding these review comments or the permitting requirements of the Minerals Rules, please contact me at (801) 538-5382, or Tony Gallegos at (801) 538-5267. Thank you for your cooperation and assistance in this regard.

Sincerely,



Doug Jensen  
Reclamation Specialist

jb  
cc: Jerry Hascall, DG&T  
Tracking File  
o:\s47-66ea.com.